

Application No.: 09/856766

Docket No.: UFJ-002US

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Dated: January 28, 2004

Signature:

(Jane E. Remillard)

Docket No.: UFJ-002US

(PATENT)

**RECEIVED**  
FEB 06 2004  
TECH CENTER 1600/2900

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Harry S. Nick, et al

Application No.: 09/856766

Group Art Unit: 1636

Filed: August 28, 2001

Examiner: R. Akhavan

For: MANGANESE SUPEROXIDE DISMUTASE  
REGULATORY ELEMENTS AND USES  
THEREFORE

### AMENDMENT AND RESPONSE

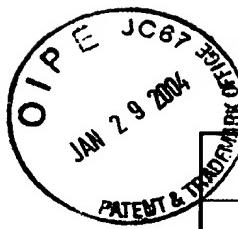
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

This communication is in response to the Office Action dated July 28, 2003 (Paper No. 5). Responsive to the Office Action, please amend the above-identified U.S. patent application as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.



31-30-04

1636

## AMENDMENT TRANSMITTAL LETTER

Docket No.  
UFJ-002USApplication No.  
09/856766-Conf. #2342Filing Date  
August 28, 2001Examiner  
Ramin AkhavanArt Unit  
1636

Applicant(s): Harry S. Nick et al.

Invention: MANGANESE SUPEROXIDE DISMUTASE REGULATORY ELEMENTS AND USES  
THEREFORE

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## TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

TECH CENTER 1600/2900

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	23	- 30 =		x	0.00
Independent Claims	4	- 6 =		x	0.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within third month					475.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					475.00

 Large Entity Small Entity No additional fee is required for this amendment. Please charge Deposit Account No. 12-0080 in the amount of \$ 475.00  
A duplicate copy of this sheet is enclosed. A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed. Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge and credit Deposit Account No. 12-0080  
as described below. A duplicate copy of this sheet is enclosed. Credit any overpayment. Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Jane E. Remillard

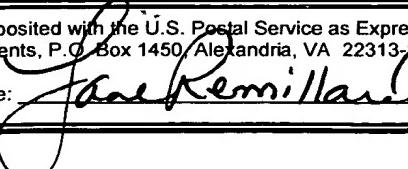
Attorney Reg. No.: 38,872

LAHIVE & COCKFIELD, LLP  
28 State Street  
Boston, Massachusetts 02109  
(617) 227-7400

Dated: January 28, 2004

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O/I 1067  
JAN 29 2004  
PATENT

# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003, Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

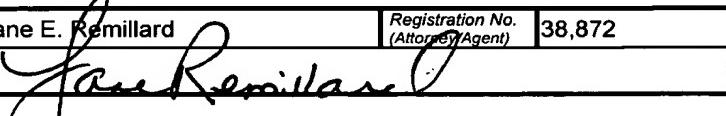
TOTAL AMOUNT OF PAYMENT (\$ 475.00)

Complete if Known

Application Number	09/856766-Conf. #2342
Filing Date	August 28, 2001
First Named Inventor	Harry S. Nick
Examiner Name	Ramin Akhavan
Art Unit	1636
Attorney Docket No.	UFJ-002US

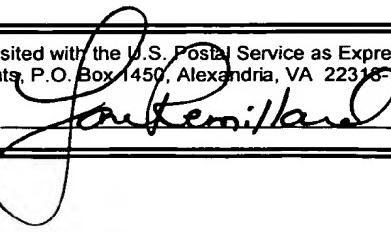
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METHOD OF PAYMENT (check all that apply)					FEE CALCULATION (continued)																																																																																																																																																																																												
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ADDITIONAL FEES</b> Large Entity    Small Entity <table border="1"> <thead> <tr> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Code</th> <th>Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for ex parte reexamination</td><td></td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td>475.00</td></tr> <tr><td>1254</td><td>1,480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>1255</td><td>2,010</td><td>2255</td><td>1,005</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - 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Name (Print/Type)	Jane E. Remillard			Registration No. (Attorney/Agent)	38,872	Telephone	(617) 227-7400																																																																																																																																																																																										
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